

SECOND REGULAR SESSION

HOUSE BILL NO. 1795

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES BERKOWITZ, OVERSCHMIDT AND SMITH (Co-sponsors).

Read 1st time February 5, 2002, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

4155L.011

AN ACT

To authorize the conveyance of property owned by the state and controlled by the department of natural resources.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section 1. 1. The governor is hereby authorized and empowered to sell, transfer, grant, and convey all interest in fee simple absolute in property owned by the state in the Battle of Athens State Historic Site to the Robert F. French Trust. The property to be conveyed is more particularly described as follows:

All that part of the Southwest quarter of section nineteen in Township sixty seven North, Range seven West described in instrument recorded at microfilm drawer 3M card 2156 of the Clark county records being WEST of the following described line. Beginning at the Southeast corner of a tract of land described in instrument recorded at microfilm drawer 9M card 926 of the Clark County records and shown on survey dated February 05, 1999 recorded with the Department of Natural Resources as Document number 750-26794, thence along the south boundary of section nineteen North 87 03' 25" West 8.0 feet to a fence and the true point of beginning, thence along said fence North 3 00' 33" East 1139.6 feet, thence North 4 38' 44" East 956.9 feet to a corner fence post, thence continue North 4 38' 44" East on a projection of the fence to the low water mark of the Des Moines River.

2. In consideration for the conveyance in subsection 1 of this section, the Missouri department of natural resources is hereby authorized to receive via quitclaim deed property from the Robert F. French Trust. The property to be conveyed to the department is more particularly described as follows:

All that part of the Southwest quarter of section nineteen in Township sixty seven North, Range seven West described in instrument recorded at microfilm drawer 3M card 2156 of the Clark county records being WEST of the following described line. Beginning at the Southeast corner of a tract of land described in instrument recorded at microfilm drawer 9M card 926 of the Clark County records and shown on survey dated February 05, 1999 recorded with the Department of Natural Resources as Document number 750-26794, thence along the south boundary of section nineteen North 87°03' 25" West 8.0 feet to a fence and the true point of beginning, thence along said fence North 3°00'33" East 1139.6 feet, thence North 4°38' 44" East 956.9 feet to a corner fence post, thence continue North 438' 44' East on a projection of the fence to the low water mark of the Des Moines River.

3. The attorney general shall approve the form of the instrument of conveyance.

Section 2. 1. The governor is hereby authorized and empowered to sell, transfer, grant, and convey all interest in fee simple absolute in property owned by the state at Cuivre River State Park to Steve and Ellen Piacentini, husband and wife. The property to be conveyed is more particularly described as follows:

Part of lands located in the County of Lincoln and the State of Missouri, lying in part of the southwest quarter of Section 16 and part of the northwest quarter of Section 21, Township 49 North, Range 1 East of the Fifth Principal Meridian, being all that part north and east of the following described courses:

Commencing at a standard aluminum monument, described in MoDNR document # 600-65596 and located per survey filed as document #750-26854 in the records of the Missouri Department of Natural Resources, marking the southeast corner of the northeast quarter of the northwest quarter of said Section 21; thence along the east line of said northeast quarter of the northwest quarter of Section 21, north 00 degrees 51 minutes 55 seconds east, a distance of 890.80 feet to a set 5/8 inch rebar, the TRUE POINT OF BEGINNING of the herein described courses; thence departing said east line north 89 degrees 08 minutes 05 seconds west, a distance of 45.00 feet to a set 5/8 inch rebar, from which a found 3/8 inch rebar bears south 89 degrees 08 minutes 05 seconds east, a distance of 18.1 feet; thence north 00 degrees 51 minutes 55 seconds east, a distance of 489.20 feet to a set 5/8 inch rebar, from which a standard aluminum monument,

described in MoDNR document # 600-65595 and located per said survey filed as document # 750-26854, bears south 89 degrees 05 minutes 55 seconds east, a distance of 45.00 feet and a found 1/2 inch rebar with orange plastic cap marked "RLS 1851" bears south 79 degrees 19 minutes 30 seconds east, a distance of 16.1 feet; thence north 89 degrees 05 minutes 55 seconds west, a distance of 155.40 feet to a set 5/8 inch rebar; thence north 00 degrees 54 minutes 05 seconds east, a distance of 53.80 feet to a set 5/8 inch rebar; thence north 89 degrees 05 minutes 55 seconds west, a distance of 409.29 feet to the east line of a tract of land conveyed to Loyd E. Groshong by instrument recorded in Deed Book 220 at page 575 of the Lincoln County land records, marked by a set 5/8 inch rebar, from which a found 1 1/4 inch solid round rod bears north 00 degrees 34 minutes 30 seconds east, a distance of 253.60 feet; thence along the east line of said Groshong tract, south 00 degrees 34 minutes 30 seconds west, a distance of 53.80 feet to the section line between said Sections 16 and 21, marked by a set 5/8 inch rebar, the point of termination of the herein described courses, from which a found 7/8 inch O.D. iron pipe bears south 00 degrees 34 minutes 30 seconds west, a distance of 7.55 feet and a 5/8 inch rebar with aluminum cap, described in MoDNR document # 600-65594 and located per said survey filed as document # 750-26854, bears north 89 degrees 05 minutes 55 seconds west, a distance of 710.45 feet.

2. In consideration for the conveyance in subsection 1 of this section, the Missouri department of natural resources is hereby authorized to receive via quitclaim deed property from Steve and Ellen Piacentini. The property to be conveyed to the department is more particularly described as follows:

Part of lands located in the County of Lincoln and the State of Missouri, lying in part of the southwest quarter of Section 16 and part of the northwest quarter of Section 21, Township 49 North, Range 1 East of the Fifth Principal Meridian, being all that part south and west of the following described courses:

Commencing at a standard aluminum monument, described in MoDNR document # 600-65596 and located per survey filed as document # 750-26854 in the records of the Missouri Department of Natural Resources, marking the southeast corner of the northeast quarter of the northwest quarter of said Section 21; thence along the east line of said northeast quarter of the northwest quarter of Section 21, north 00 degrees 51 minutes 55 seconds east, a distance of 890.80 feet to a set 5/8 inch rebar, the

TRUE POINT OF BEGINNING of the herein described courses; thence departing said east line north 89 degrees 08 minutes 05 seconds west, a distance of 45.00 feet to a set 5/8 inch rebar, from which a found 3/8 inch rebar bears south 89 degrees 08 minutes 05 seconds east, a distance of 18.1 feet; thence north 00 degrees 51 minutes 55 seconds east, a distance of 489.20 feet to a set 5/8 inch rebar , from which a standard aluminum monument, described in MoDNR document # 600-65595 and located per said survey filed as document # 750-26854, bears south 89 degrees 05 minutes 55 seconds east, a distance of 45.00 feet and a found 1/2 inch rebar with orange plastic cap marked "RLS 1851" bears south 79 degrees 19 minutes 30 seconds east, a distance of 16.1 feet; thence north 89 degrees 05 minutes 55 seconds west, a distance of 155.40 feet to a set 5/8 inch rebar; thence north 00 degrees 54 minutes 05 seconds east, a distance of 53.80 feet to a set 5/8 inch rebar; thence north 89 degrees 05 minutes 55 seconds west, a distance of 409.29 feet to the east line of a tract of land conveyed to Loyd E. Groshong by instrument recorded in Deed Book 220 at page 575 of the Lincoln County land records, marked by a set 5/8 inch rebar, from which a found 1 1/4 inch solid round rod bears north 00 degrees 34 minutes 30 seconds east, a distance of 253.60 feet; thence along the east line of said Groshong tract, south 00 degrees 34 minutes 30 seconds west, a distance of 53.80 feet to the section line between said Sections 16 and 21, marked by a set 5/8 inch rebar, the point of termination of the herein described courses, from which a found 7/8 inch O.D. iron pipe bears south 00 degrees 34 minutes 30 seconds west, a distance of 7.55 feet and a 5/8 inch rebar with aluminum cap, described in MoDNR document # 600-65594 and located per said survey filed as document # 750-26854, bears north 89 degrees 05 minutes 55 seconds west, a distance of 710.45 feet.

3. The attorney general shall approve the form of the instrument of conveyance.

Section 3. 1. The governor is hereby authorized and empowered to sell, transfer, grant, and convey all interest in fee simple absolute in property owned by the state at Washington State Park to Rachel DeClue and Patricia Westoff. The property to be conveyed is more particularly described as follows:

Part of lands located in the County of Washington and the State of Missouri, lying in the west half of the northeast quarter of Section 29, Township 39 North, Range 3 East of the Fifth Principal Meridian, being all that part enclosed by the following described courses:

Commencing at a standard aluminum monument, described in MoDNR document # 600-66813 and located per survey filed as document # 750-26906 in the records of the Missouri Department of Natural Resources, marking the southeast corner of said west half of the northeast quarter of Section 29; thence north 88 degrees 06 minutes 30 seconds west, a distance of 807.05 feet to a found 1 inch round rod (as called for in Deed Book 125 at page 61 of the land records of Washington County), lying within the right-of-way of Missouri Route 21; thence north 39 degrees 15 minutes 30 seconds west, a distance of 711.15 feet to a found 3/4 inch smooth round rod (as called for in Deed Book 125 at page 202 of said land records); thence north 80 degrees 28 minutes 30 seconds east, a distance of 7.0 feet to the easterly right-of-way of said Route 21, marked by a set 5/8 inch rebar, being the TRUE POINT OF BEGINNING of the herein described courses; thence continuing north 80 degrees 28 minutes 30 seconds east, a distance of 413.00 feet to a set 5/8 inch rebar; thence south 14 degrees 20 minutes 00 seconds east, a distance of 295.15 feet to a set 5/8 inch rebar; thence south 87 degrees 00 minutes 00 seconds west, a distance of 290.00 feet to said easterly right-of-way, from which a found t-post bears south 87 degrees 00 minutes 00 seconds west, a distance of 7.7 feet; thence northwesterly along said easterly right-of-way to the true point of beginning.

2. In consideration for the conveyance in subsection 1 of this section, the Missouri department of natural resources is hereby authorized to receive via quitclaim deed property from Rachel Declue and Patricia Westoff. The property to be conveyed to the department is more particularly described as follows:

Part of lands located in the County of Washington and the State of Missouri, lying in the west half of the northeast quarter of Section 29, Township 39 North, Range 3 East of the Fifth Principal Meridian, being all that part north and east of the following described courses:

Commencing at a standard aluminum monument, described in MoDNR document # 600-66813 and located per survey filed as document # 750-26906 in the records of the Missouri Department of Natural Resources, marking the southeast corner of said west half of the northeast quarter of Section 29 and being the TRUE POINT OF BEGINNING of the herein described courses; thence south 87 degrees 37 minutes 35 seconds west, a distance of 123.69 feet to a found 1/2 inch rebar with yellow plastic cap marked "ELGIN PS 1682", per said document # 750-26906; thence north 47 degrees 49 minutes 00 seconds west, a distance of 508.45 feet

to a set 5/8 inch rebar; thence north 84 degrees 46 minutes 30 seconds west, a distance of 270.10 feet to a set 5/8 inch rebar; thence north 14 degrees 20 minutes 00 seconds west, a distance of 295.15 feet to a set 5/8 inch rebar; thence south 80 degrees 28 minutes 30 seconds west, a distance of 413.00 feet to the easterly right-of-way of Missouri Route 21, marked by a set 5/8 inch rebar, said rebar being the point of termination, from which a found 3/4 inch smooth round rod (as called for in Deed Book 125 at page 202 of the land records of Washington County) bears south 80 degrees 28 minutes 30 seconds west, a distance of 7.0 feet and a found 1/2 inch rebar with yellow plastic cap marked "ELGIN PS 1682", per said document # 750-26906, bears north 39 degrees 20 minutes 00 seconds west, a distance of 110.90 feet.

3. The attorney general shall approve the form of the instrument of conveyance.

Section 4. 1. The governor is hereby authorized and empowered to sell, transfer, grant, and convey all interest in fee simple absolute in property owned by the state at Washington State Park to Oscar and Margaret Rulo. The property to be conveyed is more particularly described as follows:

Part of lands located in the County of Washington and the State of Missouri, lying in the west half of the northeast quarter of Section 29, Township 39 North, Range 3 East of the Fifth Principal Meridian, being all that part south and west of the following described courses:

Commencing at a standard aluminum monument, described in MoDNR document # 600-66813 and located per survey filed as document # 750-26906 in the records of the Missouri Department of Natural Resources, marking the southeast corner of said west half of the northeast quarter of Section 29; thence south 87 degrees 37 minutes 35 seconds west, a distance of 123.69 feet to a found 1/2 inch rebar with yellow plastic cap marked "ELGIN PS 1682", per said document # 750-26906, being the TRUE POINT OF BEGINNING of the herein described courses; thence north 47 degrees 49 minutes 00 seconds west, a distance of 508.45 feet to a set 5/8 inch rebar; thence north 84 degrees 46 minutes 30 seconds west, a distance of 270.10 feet to a set 5/8 inch rebar; thence south 87 degrees 00 minutes 00 seconds west, a distance of 290.00 feet to the point of termination at the easterly right-of-way of Missouri Route 21, from which a found t-post bears south 87 degrees 00 minutes 00 seconds west, a distance of 7.7 feet.

2. In consideration for the conveyance in subsection 1 of this section, the Missouri department of natural resources is hereby authorized to receive via quitclaim deed

29 property from Oscar and Margaret Rulo. The property to be conveyed to the department
30 is more particularly described as follows:

31 Part of lands located in the County of Washington and the
32 State of Missouri, lying in the west half of the northeast quarter
33 of Section 29, Township 39 North, Range 3 East of the Fifth
34 Principal Meridian, being all that part north and east of the
35 following described courses:

36
37 Commencing at a standard aluminum monument, described in
38 MoDNR document # 600-66813 and located per survey tiled as
39 document # 750-26906 in the records of the Missouri Department
40 of Natural Resources, marking the southeast corner of said west
41 half of the northeast quarter of Section 29 and being the TRUE
42 POINT OF BEGINNING of the herein described courses; thence
43 south 87 degrees 37 minutes 35 seconds west, a distance of 123.69
44 feet to a found 1/2 inch rebar with yellow plastic cap marked
45 "ELGIN PS 1682", per said document # 750-26906; thence north
46 47 degrees 49 minutes 00 seconds west, a distance of 508.45 feet
47 to a set 5/8 inch rebar; thence north 84 degrees 46 minutes 30
48 seconds west, a distance of 270.10 feet to a set 5/8 inch rebar;
49 thence north 14 degrees 20 minutes 00 seconds west, a distance of
50 295.15 feet to a set 5/8 inch rebar; thence south 80 degrees 28
51 minutes 30 seconds west, a distance of 413.00 feet to the easterly
52 right-of-way of Missouri Route 21, marked by a set 5/8 inch
53 rebar, said rebar being the point of termination, from which a
54 found 3/4 inch smooth round rod (as called for in Deed Book 125
55 at page 202 of the land records of Washington County) bears
56 south 80 degrees 28 minutes 30 seconds west, a distance of 7.0 feet
57 and a found 1/2 inch rebar with yellow plastic cap marked
58 "ELGIN PS 1682", per said document # 750-26906, bears north
59 39 degrees 20 minutes 00 seconds west, a distance of 110.90 feet.

60 3. The attorney general shall approve the form of the instrument of conveyance.